

1 of 2

1 Plaintiff has not amended. Instead, he filed a motion asking the Court to certify the
2 dismissal for interlocutory review. *See* 28 U.S.C. § 1292(b). The Court denied the motion for
3 untimeliness and ordered Plaintiff to show cause why the case should not be dismissed for lack
4 of prosecution under Local Rule 41-1. Plaintiff has responded, arguing that the Court's dismissal
5 order gave no particular deadline for amendment, and that he filed the motion to certify because
6 of that. More importantly, he claims that on January 24, 2016, he notified the Court of his intent
7 not to amend but to proceed to appeal. The Court has no record of that in the docket but
8 interprets the present response as Plaintiff's consent to final judgment without amendment.

9 **CONCLUSION**

10 IT IS HEREBY ORDERED that the Clerk shall enter Judgment and close the case.

11 Dated this 18th day of July, 2016.

12
13 
14 _____
15 ROBERT C. JONES
16 United States District Judge
17
18
19
20
21
22
23
24